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\*\*E-filed 1/29/07\*\*

11  
12 UNITED STATES DISTRICT COURT  
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14 NORTHERN DISTRICT OF CALIFORNIA  
15  
16 SAN JOSE DIVISION  
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18 SECURITIES AND EXCHANGE COMMISSION,  
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20 Plaintiff,  
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22 v.  
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24 THOMAS A. SKOULIS and PETER M. FRANKL,  
25  
26 Defendants.  
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Case No. C-06-2239 JF (PVT)

**STIPULATION AND PROPOSED ORDER  
TO CONTINUE DATE FOR FURTHER  
CASE MANAGEMENT CONFERENCE**

19 Securities and Exchange Commission ("Commission") and defendants Thomas A. Skoulis  
20 and Peter M. Frankl (collectively, "the parties"), by and through their respective counsel, hereby  
21 agree and stipulate as follows:

22 WHEREAS:

23 1. On October 27, 2006, the Court held the initial Case Management Conference in  
24 this case, during which the Court referred this case to Magistrate Judge Patricia V. Trumbull for  
25 a settlement conference. The Court also scheduled a further Case Management Conference for  
26 February 2, 2007.

1           2.       The parties have a settlement conference scheduled with Judge Trumbull on  
2 February 9, 2007. The parties were not able to find an earlier date that met the various schedules  
3 of the parties and their respective counsel, as well as the Court.

4           3.       Counsel for defendants are unavailable on February 16 and 23, 2007.

5           STIPULATION:

6           4.       The parties therefore stipulate that the Case Management Conference currently  
7 scheduled for February 2, 2007 should be moved to March 2, 2007, or as soon thereafter as the  
8 Court's schedule will permit.

9  
10          IT IS SO STIPULATED:

11  
12 DATED:       January 25, 2007

Respectfully Submitted,

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14                               /s/ \_\_\_\_\_

15                               Susan F. LaMarca

16                               SECURITIES AND EXCHANGE COMMISSION

17                               /s/ \_\_\_\_\_

18                               Steven R. Manchester

19                               MANCHESTER, WILLIAMS & SEIBERT

Attorneys for Defendant Peter A. Frankl

20                               /s/ \_\_\_\_\_

21                               Richard Marmaro

22                               Robert J. Herrington

23                               SKADDEN, ARPS, SLATE,

MEAGHER & FLOM LLP

Attorneys for Defendant Thomas A. Skoulis

1 **IT IS SO ORDERED.**

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4 Dated: 1/26/07  
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Jeremy Fogel  
UNITED STATES DISTRICT JUDGE